

**PATENT  
6990-1003**

of spacers extending from each side of the chassis toward the opposite side of the chassis;

rotatably mounting a plurality of wheels on axles extending through the apertures; and

mounting footwear to the top portion of the chassis. --

**II. REMARKS REGARDING AMENDMENTS**

All claims have been amended to overcome the rejections based on 35 U.S.C. §112, second paragraph, and to distinctly claim and particularly point out that the in-line skates of the present invention are formed from a single piece of metal, and that spacers, also referred to as projections, are later formed in that part of the single metal that surrounds the apertures through which the wheel axles pass. Also, these spacers/projections are further limited in that they are "coined" spacers/projections, with this further limitation inferentially requiring them to have been formed by a coining process, as disclosed in the specification and acknowledged by the examiner in the previous Office Action.

In stark contrast to the presently pending claims, the spacers/projections in Patent No. 5,513,861 ("861"), to Monroy, et al., are formed by an initial extrusion process. The only later forming to this structure is a machining process that

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removes excess metal from the spacers/projections, as has also been acknowledged by the examiner in the previous Office Action.

Because the Monroy structure is so limited, it teaches away from "coined" spacers as presently claimed. Furthermore, there is no teaching or suggestion in the prior art of record to have later modified, or later made the Monroy skate frame spacers in a coining process, because the Monroy spacers had previously been pre-formed during the initial extrusion.

No new matter has been added by any amendment.

**III. REPLY TO REJECTIONS UNDER 35 U.S.C. §112**

Claims 1-2 and 5-9 have been rejected (and objected to) under 35 U.S.C. §112 second paragraph, as indefinite. In reply, Applicants have amended claim 1, line 4 by deleting "in", to clarify the claim. Also, claim 6 has been amended to delete "edge" to thereby remove the basis for the objection. Similarly, claims 1 and 15 have been amended to correct the informalities noted in the Office Action, at paragraph 2.

For all of the above reasons it is believed that the objections and rejections to the claims based on 35 U.S.C. §112, second paragraph have been overcome.

**IV. REPLY TO REJECTIONS UNDER 35 U.S.C. §102**

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Claims 1, 2, 5, 7 and 13-15 have been rejected under 35 U.S.C. §102(b) as being anticipated by Monroy et al '861. In this regard, it is noted that the spacers, or projections 82, 84 have been formed in the original extrusion, and not in a later process as are the spacer/projections of the present invention, and as required by the various terms of the independent claims as presently amended.

**V. REPLY TO REJECTIONS UNDER 35 U.S.C. §103**

Claims 8 and 16-17 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Monroy et al in view of Meyers et al. Applicants reply that each of claims 8 and 16-17 depend on a claim which requires that the spacers/projections are later formed in the single piece of metal which in turn forms the chassis. Thus, Applicants rely on the reply set forth above to the rejection of the independent claims, as if fully set forth herein.

Claim 9 has been rejected under 35 U.S.C. §103 as being unpatentable over Monroy et al in view of Meibock et al. In reply, Applicants note that claim 9 is a dependent claim, and rely on their reply to the rejection of claim 1, discussed above, as if fully set forth herein.

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**VI. CONCLUSION**

For all of the above reasons, it is believed that the objections and rejections have been overcome, and a notice of allowance is respectfully requested.

Respectfully submitted,



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